IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL ACTION NO. 1:07-cv-231

C. BURGESS,

Plaintiff,

vs.

EFORCE MEDIA, INC.; IWIZARD HOLDING, INC.; ADKNOWLEDGE, INC.; BASEBALL EXPRESS, INC.; ALLEN-EDMONDS SHOE CORPORATION; INTERSEARCH GROUP, INC.; TRUSCO MANUFACTURING COMPANY; PRICEGRABBER.COM, INC.; SHOPZILLA, INC.; DAZADI, INC.; SIX THREE ZERO ENTERPRISES, LLC,

Defendants.

DEFENDANT iWIZARD HOLDING, INC.'S MOTION FOR EXTENSION OF TIME TO FILE ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT

NOW COMES the Defendant, iWizard Holding, Inc., by and through the undersigned counsel, within five (5) days of the filing of the Notice of Removal, pursuant to Rule 6 of the Federal Rules of Civil Procedure, and hereby moves the Court for an extension of time within which to answer or otherwise respond to the Complaint served on May 29, 2007. This Defendant moves for an extension of time for twenty (20) days up to and including July 18, 2007. In support of this Motion, the undersigned shows unto the Court as follows:

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1. This is a civil action in which the Plaintiff asserts claims against this Defendant for an alleged violation of the Federal CAN-SPAM Act, 15 U.S.C.§7701 *et. seq.*

2. A Notice of Removal was filed on behalf of all the Defendants on June 25, 2007.

3. The time for answering or otherwise responding to the Complaint has not expired.

4. The undersigned counsel received assignment of this case last Wednesday and, therefore, she is in need of additional time in which to investigate the allegations contained in the Complaint and to properly prepare an answer or otherwise respond to the Plaintiff's Complaint.

5. The undersigned counsel has attempted to confer with the Plaintiff concerning this Defendant's Motion for an extension of Time, however, the undersigned counsel has not received a response from the Plaintiff.

6. This Motion is made in good faith and is not being made for the purpose of unreasonably delaying this matter.

WHEREFORE, the Defendant, iWizard Holding, Inc., respectfully requests an extension of time for twenty (20) days, up to and including July 18, 2007, in which to answer or otherwise respond to the Complaint in this matter.

Respectfully submitted, this the 27th day of June, 2007.

s/ Jacqueline D. Grant
JACQUELINE D. GRANT
N.C. Bar No. 22079
Attorney for Defendant
iWizard Holding, Inc.
P. O. Box 7647
Asheville, NC 28802
Phone: (828) 252-6600
Facsimile: (828) 253-7200
E-Mail: jgrant@roberts-stevens.com

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed a copy of the foregoing ***DEFENDANT iWIZARD HOLDING, INC.'S MOTION FOR EXTENSION OF TIME TO FILE ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT*** with the Clerk of Court using the ECF system that will send notification thereof to the following:

Kenneth R. Raynor	ken@templetonraynor.com
Keith H. Johnson	kjohnson@poynerspruill.com
Judy Thompson	jthompson@poynerspruill.com
Deborah T. Crowder	dcrowder@poynerspruill.com
Brian Heslin	brianheslin@mvalaw.com
Jennifer F. Revelle	jrevelle@rbh.com
Mary Euler	meuler@mwbavl.com

I further certify that I have served a copy of the foregoing ***DEFENDANT iWIZARD HOLDING, INC.'S MOTION FOR EXTENSION OF TIME TO FILE ANSWER OR OTHERWISE RESPOND TO THE COMPLAINT*** on the Plaintiff by depositing a copy thereof in an envelope bearing sufficient postage in the United States mail, addressed to:

C. Burgess
P.O. Box 6355
Hendersonville, NC 28793

This the 27th day of June, 2007.

s/ Jacqueline D. Grant

JACQUELINE D. GRANT
N.C. Bar No. 22079
Attorney for Defendant
iWizard Holding, Inc.
P. O. Box 7647
Asheville, NC 28802
Telephone: (828) 252-6600
Facsimile: (828) 253-7200
E-Mail: jgrant@roberts-stevens.com